

REMARKS

Claims 1-4, 6, 11, and 13-14 are pending and stand rejected. Independent claims 1 and 11 have been amended and claims 13 and 14 have been canceled. Accordingly, after the foregoing amendment, claims 1-4, 6, and 11 will be pending. Favorable consideration is respectfully requested.

I. 102(b) Rejections:

Claims 1-4, 6 and 11 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. patent no. 4,709,533 (Ausnit). Independent claims 1 and 11 have been amended to incorporate the limitations of claims 13 and 14 respectively. The Office Action acknowledges that Ausnit does not teach the limitations recited in claims 13 and 14. Accordingly, Applicant requests withdrawal of the rejection.

Furthermore, Applicant has amended claims 1 and 11 and submits that Ausnit does not teach, “locating the lengths of fastener on the substrate by first attaching a flange portion of the fastener to the substrate so as to leave the body portion [which comprises first and second interengaging profiles] of the fastener free for movement relative to the substrate,” as claimed in claim 1, nor does it teach “locating a length of said reclosable fastener on said web, while the lengths of fastener are transverse to the length of said web, at each said location by attaching said flange portion of said fastener length to said web so as to leave said body portion [which comprises first and second interengaging profiles] of said fastener free for movement relative to said web of said substrate,” as claimed in claim 11. Accordingly, applicant submits that claims 1 and 11 (and claims 2-4, and 6 which depend from claim 1) are patentable over Ausnit.

II. 103(a) Rejections:

Claims 1-4, 6, 11, and 13-14 stand rejected under 35 U.S.C. 103(a) as being obvious over U.S. patent no. 6,044,621 (Malin) in view of U.S. patent no. 5,417,035 (English). As stated above, claim 1 recites “locating the lengths of fastener on the substrate by first attaching a flange portion of the fastener to the substrate so as to leave the body portion [which comprises first and second interengaging profiles] of the fastener free for movement

relative to the substrate,” and claim 11 recites “locating a length of said reclosable fastener on said web, while the lengths of fastener are transverse to the length of said web, at each said location by attaching said flange portion of said fastener length to said web so as to leave said body portion [which comprises first and second interengaging profiles] of said fastener free for movement relative to said web of said substrate.” Because the Office Action cites FIG. 1 of Malin as teaching such a limitation, applicant focuses his arguments to FIG. 1 of Malin. In that regard FIG. 1 of Malin does not teach or suggest a method of sealing a fastener to a substrate as claimed in claims 1 and 11.

Rather, FIG. 1 of Malin teaches a zipper strip 10 being disposed transversely across a thermoplastic sheet material. The zipper strip 10 is dispensed with male and female interlocking profiles 12 and 14 onto the thermoplastic sheet with the male interlocking profile 12 resting thereon. Heat seal bars 28 are applied against the leading and trailing flanges 24 and 26 to seal the male interlocking profile 12 to the thermoplastic sheet without sealing web 22 of the female interlocking profile 14 to web 20 of the male interlocking profile 12. Because flange portions 24 and 26 of the male profile 12 are both sealed, locking member 16 of the male profile 12, though unattached to the sheet, is NOT FREE for movement relative to the sheet, on account of the male profile being attached at both ends to the sheet. Therefore, FIG. 1 of Malin does not teach “locating the lengths of fastener on the substrate by first attaching a flange portion of the fastener to the substrate so as to leave the body portion [*which comprises first and second interengaging profiles*] of the fastener free for movement relative to the substrate,” as claimed in claim 1, nor does it teach “locating a length of said reclosable fastener on said web, while the lengths of fastener are transverse to the length of said web, at each said location by attaching said flange portion of said fastener length to said web so as to leave said body portion [*which comprises first and second interengaging profiles*] of said fastener free for movement relative to said web of said substrate,” as claimed in claim 11.

Accordingly, applicant submits that claims 1 and 11 (and claims 2-4 and 6 which depend from claim 1) are patentable over Malin either alone or in combination with English.

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III. Conclusion:

For all the foregoing reasons, applicant respectfully submits that the application is in condition for allowance. Accordingly, a Notice of Allowance for claims 1-4, 6 and 11 is respectfully requested. If the examiner determines that a teleconference would further the prosecution of this matter he is invited to telephone the undersigned at his convenience.

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